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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10 065,457	10 21 2002	Holly Ann McDaniel	125404	4025

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EXAMINER

SONG, HOON K

ART UNIT PAPER NUMBER

2882

DATE MAILED: 06 17 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/065,457

Applicant(s)

MCDANIEL ET AL.

Examiner

Hoon Song

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

Figure 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities:

Brief description of the drawings for figure 1 and 2 should include "prior art".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 and 10-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsieh et al. (US 6366638B1).

Regarding claims 1, 10, 19, 24 and 29-30, Hsieh teaches a method for generating a plurality of clinically useful images in a short time frame using a single imaging system, the method (abstract) comprising:

generating a scout image configured to prescribe a target image (column 2 line 52+);

processing said scout image to generate an enhanced scout image (column 2 line 60+); and

displaying said enhanced scout image and said target image, wherein said enhanced scout image (column 4 line 8+) and said target image are clinically useful images for diagnostic purposes provided by the single imaging system.

Regarding claims 2 and 11, Hsieh teaches that said enhanced scout image is a scanned projection radiograph (abstract, column 2 line 49+).

Regarding claims 3, 12, 20 and 25, Hsieh teaches that said enhanced scout image is generated as in a planar x-ray developed film (well-known, column 2 line 6+, column 6 line 50+).

Regarding claims 4, 13, 21 and 26, Hsieh teaches that said enhanced scout image is at least one of transferred and archived via propagation of an electrical signal representative thereof (column 2 line 49+).

Regarding claims 5, 14, 22 and 27, Hsieh teaches that after said propagation of an electrical signal representative thereof, said enhanced projection radiograph is generated as in a planar x-ray developed film (well-known, column 2 line 6+, column 6 line 50+).

Regarding claims 6, 15, 23 and 28 Hsieh teaches that said generating said scout image acts as a localizer in obtaining said target image in addition to serving in generating an x-ray radiograph (column 1 line 62+).

Regarding claims 7 and 16 Hsieh teaches that said target image is a CT scan image (column 2 line 49+).

Regarding claims 8 and 17 Hsieh teaches that obtaining projection data for at least one scout scan; and modifying said projection data utilizing a deconvolution kernel to generate said enhanced scout image (column 2 line 49+).

Claims 1, 9-10, 19, 24 and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsieh et al. (US 6393090B1).

Regarding claims 1, 9-10, 19, 24 and 29-30, Hsieh teaches a method for generating a plurality of clinically useful images in a short time frame using a single imaging system, the method comprising:

- generating a scout image configured to prescribe a target image (figure 4);
- processing said scout image to generate an enhanced scout image (figure 4);
- and

displaying said enhanced scout image and said target image (figure 4), wherein said enhanced scout image and said target image are clinically useful images for diagnostic purposes provided by the single imaging system (figure 4).


### **Conclusion**

Art Unit: 2882

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is 703-308-2736. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4858 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
DAVID V. BRUCE  
PRIMARY EXAMINER

Hoon Song  
June 3, 2003